

# The Weekly Chieftain.

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## COURT TO LEAVE DECISION TO JURY

Judge Thompson Overrules Motion to  
Take Case From Jury And In-  
struct for Verdict.

Springfield, Ill., Oct. 26.—Attorneys for Senator Pemberton and Representative Clark on trial for their alleged part in the conspiracy to obtain money for their votes on the capital furniture contract, made a motion to have the court instruct the jury to return a verdict in favor of the defendants.

In support of the motion attorneys Emory Andrews and Hugh Graham declared that the state had failed to make proof of the cases in the evidence submitted that the commission which awarded the furniture contract had no authority to do so, this power being vested in the secretary of state. While the motion was being argued, the jury was taken from the court room. State's Attorney Burke replied when the court convened last night.

Following the appearance on the witness stand of Senator Holstlaw and J. W. Knox in the morning, Otto Frier, who represented the successful bidder in the furniture contract, testified that he conversed with Pemberton, Clark and Holstlaw about the contract. He said that at one time Clark told him that he would require \$1,000 for his vote and Holstlaw at first demanded \$5,000, but later agreed to accept \$1,500.

A. B. Johnston of this city, the witness said, was present when it was agreed that Holstlaw should get \$1,500.

In the event of the court's refusing to direct the verdict of "not guilty," it is expected that the testimony will all be in by the time court adjourns today and it is likely that the case will go to the jury by Saturday.

Judge Thompson last night overruled the motion of the defense that the court take the case from the jury and instruct a verdict of not guilty in favor of State Senator Staton C. Pemberton of Oakland, and Representative Joseph S. Clark of Vandalla.

## MARTIN N. LITTLETON IN ATTACK ON ROOSEVELT

New York, Oct. 26.—A new turn was given the attack on Roosevelt and his "New Nationalism" by Martin W. Littleton, democratic candidate for congress in the Oyster Bay district, in an address last night.

"New Nationalism," he said, "has its source in the abiding disrespect Mr. Roosevelt has constantly shown toward 'our form of a republic,' which caused him to show dissatisfaction with the public men of the country as well as its institutions.

"Citing criticisms passed upon former presidents by Roosevelt," Littleton added, "that apparently another executive, and one of Roosevelt's own creation, was probably awaiting his place in 'this hall of infamy.'

"He, (Roosevelt), has not yet completed his symposium of mediocrity," continued Littleton. "He has not concluded his catalogue of incompetents; but there seems to be another president scheduled to fall under his condemnation. There seems to be another who will find a place with Buchanan, the shifty and selfish politician, with Tyler, that politician of monumental littleness; with Van Buren, who faithfully served the mammon of unrighteousness; with Jackson, ignorant and headstrong; with Munroe, a courteous gentleman of no especial ability; with Madison, whose incapacity brought shame and disgrace to America in the war of 1812; with Jefferson, the most incapable president that ever filled the president's chair.

"And this president, who is awaiting, no doubt, his place in the hall of infamy, is the one that Roosevelt himself cheated. It is a pathetic picture of broken friendship; it is sad commentary upon the stability of political alliances to see a patient, just, earnest, plain, rugged judge, who occupies the position of president, almost crowded out of his place and excluded from the prerogatives of his office by a man who continues to reign wherever and with whatsoever he may.

"Is it any wonder then that he preaches 'New Nationalism?' Need one be surprised at his strange doctrine? Having gotten the views respecting eight of the presidents of the United States, and having sur-

mised his attitude toward the ninth, need we be surprised if he finds no difficulty in urging a radical change in the structure of the government, which is the strangest mixture of socialism and empire—the most unique union of despotism and disorder?"

## KING VICTOR EMANUEL AT SCENE OF SUFFERING

Naples, Italy, Oct. 26.—King Victor Emanuel arrived here, unannounced, this morning, to direct the relief for the sufferers from the cyclone, tidal wave and Mount Vesuvius' eruption. He was not altogether unexpected, because his subjects have learned that wherever there is widespread suffering the king will be found giving aid and sympathy. His arrival was hailed with great enthusiasm. The authorities estimated the number dead at 189. Thousands are homeless and short of food and water, because the roads are washed out.

Coming Soon.  
"The Man of the Hour," which will be seen here soon, played in New York two years, to record-breaking business. The record of the Broadway play is no less remarkable than the play itself, which has been pronounced by the most eminent reviewers of dramatic subjects to be all odds the best play of the season.

## DR. NAGLE'S IMPLICATION A THRUST AT CREAGER

Tulsa, Okla., Oct. 27.—Some questions asked Hon. Charles E. Creager, republican nominee for congress, by Dr. Wm. M. Nagle of Muskogee, a republican too, are yet unanswered. Dr. Nagle asked Creager the following:

"When you, sought your first nomination for congress, is it not a fact that a large portion of your campaign expense was paid by check on a bank outside of the state, to-wit: at Independence, Kansas?"

In other words, Dr. Nagle indirectly charges Mr. Creager with checking on a bank in Kansas that is alleged to have been a connecting link between the republican candidate and the Standard Oil company. Mr. Creager did not answer the question.

When Mr. Creager was in the employ of the government, his business was with the oil industry of Oklahoma. This would put him in touch with the Standard Oil interests, and from the reports of oil men, it did put him "in touch" with certain oil concerns that led directly to the bank in Kansas, the home of Standard in the mid-continent field.

Dr. Nagle's implication is a direct thrust at the republican candidate, and shows the temper of the independent republicans towards the congressman.

## SUPREME COURT WILL CONSOLIDATE BANK CASES

Washington, D. C., Oct. 26.—The supreme court of the United States dismissed the petition of the national banks of Kansas for a review of the case in which Judge Pollock held that the bank guaranty law of Kansas is unconstitutional. The action of the court has no bearing on the merits of the question. Three other cases, involving the state guaranty laws, respectively, of Oklahoma, Kansas and Nebraska, are on the court's docket, and probably will be reached for argument before the holidays.

The dismissal of the petition of the Kansas national banks was without an opinion by the court, although from the nature of the three cases it is understood that the action was taken with a view to facilitating the proceedings. The Oklahoma case has precedence on the docket, having been filed last year. That the three cases may be heard at one time the court today consolidated the Kansas and Nebraska cases and advanced them for hearing with the Oklahoma case.

Connie Mack is Married.  
By Associated Press.  
Philadelphia, Pa., Oct. 27.—Cornelius McGillicuddy (Connie Mack) manager of the world's champion baseball team, was married this morning to Miss Katherine Hallohan. Following the ceremony, Mr. and Mrs. McGillicuddy went to his mother's home. Later they will tour Italy, Switzerland, France, Ireland and England.

## OKLAHOMA ARCH-DEACON IS ARRESTED AT KANSAS CITY

The Kansas City Star Wednesday evening contained an account of the arrest of a well known Oklahoman. Before going to Kansas City he left a memento to Sam Parks of this city in the way of a worthless check for \$10. The following is what the Star says:

Henry B. Smith, who formerly was arch-deacon of the southern half of the Episcopal Diocese of Oklahoma and rector of St. Phillip's church of Ardmore, Okla., is in Kansas City, at the prosecutor's office on a charge of passing worthless checks. If his own statement is to be taken literally he has been conducting himself in a manner that for unrestrained joyousness seldom, if ever, has been exceeded here. Which introduces his statement, corroborated by several persons.

Smith came here last Friday, as agent for the Petroleum Development company of Ardmore, Okla. He had assumed that work after resigning, on account of his health, the duties of rector a year ago. In the meantime, Mr. Smith said, he had become addicted to the whisky and morphine habits. Six weeks ago he sent his wife and four children to stay with her parents in Park City, Okla., while he went to a sanitarium in Oklahoma City to seek a cure for his habits.

Last week he left the sanitarium, believing himself restored sufficiently to take up business again. On the way to Kansas City he began to drink. He continued after reaching the Hotel Baltimore. Then his fancy turned to motoring.

Smith first hired a touring car from the Royal Motor company, in which he toured some \$15 worth, with two women he accumulated. He was so pleased with the possibilities of a motor car that the day following he bought one from the Chalmers Automobile company, giving in exchange a check for \$1,850 on the National Bank of Oklahoma. The check was valueless.

Pending the delivery of the car Smith obtained the indorsement of J. A. Nelson, president of the motor company, on a personal check for \$35, which he cashed at the Hotel Baltimore.

But Mr. Smith could not wait for the arrival of the new car for more joy rides. He hired a car from the Landis Auto company and ran up a bill of \$17, which he satisfied temporarily with a worthless check. Also, he changed his lodging to the Hotel Kupper, where he was staying when arrested. Myron C. Albertson, president of the Royal Auto company, says Mr. Smith arranged the purchase of another motor car somewhere in the city. Mr. Smith says he may have done so, but does not recall the particulars.

At any rate the climax to his financial and motoring endeavors came on Monday. He presented a check for \$30 on the bank of Welch, Okla., at the Southwestern National Bank, and was told he must be identified. That was easy. A young woman employed

in the bank as a stenographer was referred to by Mr. Smith. She had met him a year ago, she said, at Sulphur Springs, and identified him readily. When this last check was discovered to be worthless Mr. Smith was arrested. He was registered under the name of H. J. Scott at the Kupper.

At the prosecutors office this afternoon, Mr. Smith telephoned the Rev. Father J. Stewart Smith, rector of St. Mary's Episcopal Church here. "I'll be right down," was the answer.

"I know Mr. Smith quite well," was the rector's comment later. "At one time I asked him to take my pulpit here while I was away, but he could not. He is a half-breed Cherokee Indian, on his mother's side. That, I believe, accounts for his love of whiskey, which has been his undoing. He was extremely well thought of in the Oklahoma church, both as a rector and as an officer of the diocese."

Information is to be filed against Mr. Smith, charging obtaining money under false pretenses. It is likely he will be released later on parole.

## TWO BALLOONISTS ARE FOUND ALIVE

Messages Received Wednesday Night  
Say Hawley And Post Landed  
Week Ago in Quebec.

By Associated Press.

Chicoutimi, Quebec, Oct. 27.—A bath tub was a welcome sight to Hawley and Post, of the America II, when they reached here last night, after nine days without one, and sleeping on the hard ground with nothing but an army blanket for covering. The men said they were tired to the bone. The balloon still is far out in the woods on the mountain side, where they left it. The two trappers, who brought Hawley and Post out of the jungles to civilization in birch canoes will start out today to see if the big bag can be brought out to the railroad. Post and Hawley probably flew in all 1,600 miles, although only 1,355 was in a straight line. They were up forty-six hours, making their speed about thirty-five miles an hour. The balloonists will reach Quebec tonight and go from there to New York.

New York, Oct. 27.—Alan R. Hawley and August Post, aeronauts in the balloon America II, for whom search had been prosecuted in the Canadian wilds, are safe and have established a new world's record for sustained flight.

They traveled approximately 1,350 miles and came to earth in Chicoutimi county, Quebec, on Wednesday, Oct. 19, but were not heard from until yesterday when telegrams sent from St. Ambrose, Quebec, reached New York.

The balloonists started from St. Louis with nine other contestants in the international contest Monday, October 17. All of the other balloons have been reported.

Two messages from Hawley and Post were received at New York early last night. One was to William Hawley, a brother of the aeronaut, and the other to Samuel F. Perkins, the pilot of the balloon Dusseldorf II, which, until tonight, had been considered the winner.

The message to Hawley read: "Landed in the wilderness a week ago, fifty miles north of Chicoutimi. Both well. Allan."

Perkins's message ran: "Landed on Paribonka river, north of Lake Chilogan, on the 19th; all well; returning. Hawley and Post."

With the receipt of the news there ended a search which had come to be regarded by many as an almost hopeless one, and in which the government of this country and Canada were indirectly participating. For in addition to the emissaries were sent by the Aero Club of St. Louis the Aero Club of America and by William Hawley of the United States revenue cutter service, the signal corps of the army of the Hudson Bay company and other agents were conducting the search, scouring the great lakes and

making preparations for entering the almost impenetrable Canadian forests.

Clifford D. Harmon, a wealthy amateur aeronaut and aviator of New York, offered \$1,000 to any one finding Hawley and Post, dead or alive, and this sum had been increased last night by subscriptions to more than \$7,000, at the international aviation meet at Belmont Park. Nearly \$2,000 was subscribed among the aviators this afternoon, headed by \$500 pledged by Glenn H. Curtiss. Young Perkins, who accompanied Lieutenant Hans Gericke in the Dusseldorf, conceded immediately that he had received a telegram from Hawley and Post and that he and the Germania hall lost first place to the New Yorkers. Perkins estimated the distance traveled by the Dusseldorf at 1,240 miles.

He was overjoyed at hearing from his long lost rivals and was quickly dispatched to St. Ambrose with instructions to forward a message of congratulations to Hawley and Post.

## MOORE TESTIFIES \$25 WAS TO BE PAID FOR EACH DEED

Guthrie, Okla., Oct. 27.—Direct testimony that Grimes and Conine had an agreement with Gofe Politico Guarjardo by which they were to be given admission to the Kickapoo Indian camp near Muzquiz and were to pay Guarjardo \$25 American money for each deed they got from the Indians, was given Wednesday by Calvin S. Moore, a farmer living near McLoud, who was placed on the stand by the government in the Mexican requisition hearing.

Moore testified that Grimes went to see Dr. Conine, who arranged a date with Guarjardo, and that the next day Grimes told him that Conine had made an agreement with Guarjardo. Shortly after that, the witness testified, Grimes, Brown and himself went to a room where Dr. Conine and his wife were and that Conine's wife translated the agreement from Spanish into English for them.

The agreement, Moore stated, was that he and his associates would again be given access to the Indian camp, would have control of it and that they were to pay for this protection \$25 American money for each deed executed. The witness stated that \$25 was to be paid to Guarjardo for each deed and \$25 to Dr. Conine for his services in arranging the agreement and that the same evening they went to the Indian camp and that Grimes, a policeman and himself took charge of the camp.

The witness then stated that upon a written authority from Guarjardo some of the Indians were taken to Eagle Pass from the camp to make deeds and that at Sabinas Indians whom they had heard were going to Eagle Pass to make deeds to Martin J. Bentley were stopped and turned back by a representative of Guarjardo upon request of Conine and Brown.

Moore gave a detailed account of what occurred at Guarjardo's house near Muzquiz when the Indians were taken there from the camp to make deeds for their land. He stated that he guarded the Indians in the yard of Guarjardo's house and had instructions not to let any of them leave. Grimes and Conine were there and at noon he was sent to Muzquiz to bring out Chapman and Brown who brought twenty or thirty deeds with them. Moore stated that Guarjardo made a speech to the Indians assembled at his house telling them that they should sell their lands to the Chapman-Conine crowd and should deposit the money and buy land in Mexico with it and that if they did not purchase homes there they could not stay in the country.

The witness stated that the Indians held a council and decided that they did not want to sell their lands. He stated that he did not see any of the Indians go into the room where the defendants and Mexican officials were and did not see any of them sign deeds.

## WORRY OVER HIS ARREST CAUSES SELF DESTRUCTION

By Associated Press.

Springfield, Mo., Oct. 26.—Worrying over his arrest, on a charge of being responsible for the death of Mrs. Leora Hooser, of this city, by performing an operation, Dr. Albert E. Reinichen, a leading physician of Springfield committed suicide this morning by taking morphine.

## MAKING EFFORT TO STOP BOOTLEGGING

Returns From Sale of Liquors Cap-  
tured in Craig County Would Pay  
Expense of Sheriff's Office.

It is getting to be the general opinion around town that if it is possible, under the existing law, to stop the sale of liquor in Craig county, Sheriff Ridenhour intends to see that it is stopped.

Monday night the sheriff and three deputies spent the entire night searching for bootleggers and their wares. For these sleepless nights the only compensation the officers get is the knowledge that they are trying to fulfill the duties of their office. Last night ten cases of whiskey was captured in a box car in the Frisco yards.

If Craig county had received the funds for the sale of all the whiskey captured by Mr. Ridenhour and his force it would more than pay the entire expense of the sheriff's office. These captures, however, are turned over to the state and the county doesn't get a cent out of it.

Those who want the law enforced must realize that every obstacle possible is thrown in the way of the officers and before condemning the officers it would be well to investigate what he is doing and co-operate with him in the enforcement of the law. Sheriff Ridenhour is making a splendid officer but needs the support of the law abiding citizens if the law is to be enforced.

## DAVENPORT FAVORS ANTI-GOVERNMENT PRINTING

Tulsa, Okla., Oct. 27.—Oklahoma printers have been working with the printers of every state in the Union and with the allied printing and paper industries, to secure a law prohibiting the printing of stamped envelopes by the government in competition with the private printing institutions of the nation. A letter of inquiry has been addressed to Hon. James S. Davenport, democratic nominee for congress, to know what his attitude would be on the bill, when up for passage next session of congress. Mr. Davenport made public the following letter:

Hon. Edgar S. Bronson,  
Thomas, Okla.  
Dear Sir: I have examined the bill, which was introduced in the house at the last congress, which passed by a majority of 192 for and 27 against, known as the Touvelle-Nelson bill, which related to prohibiting the government of the United States from printing stamped envelopes free in competition with private industries of the United States engaged in the printing business and competing with the country and city printers.

I am opposed to the government doing any printing other than that which is absolutely necessary for the conducting of its own business for its own departments. Should I be elected to congress I will do all I can to secure the passage of a measure which will prohibit the government from engaging in printing envelopes or other material in competition with private companies of the United States.

Very truly yours,  
(Signed) JAMES S. DAVENPORT.

## GRANDFATHER CLAUSE IS NOT UNCONSTITUTIONAL

By Associated Press.

Guthrie, Okla., Oct. 26.—That the "grandfather clause" amendment is not in violation of the constitution of the United States was held by the supreme court today, in the case of Attor V. Passet. The court also held the special procedure, under which the amendment was adopted is valid, all votes not cast against the proposition being counted for it. The "grandfather clause" provides that no man is eligible to vote whose grandfather might not have voted under some form of government and will thus disfranchise many negroes, whose grandfathers were slaves.

Aviator Killed in Italy.

By Associated Press.

Rome, Oct. 27.—Sagietti, maneuvering in a military biplane today, fell and was instantly killed.